

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
WILMINGTON TRUST, NATIONAL ASSOCIATION, :
as Trustee for the Benefit of the Registered Holders of :
Benchmark 2018-B5 Mortgage Trust, Commercial :
Mortgage Pass-Through Certificates, Series 2018-B5, :
acting by and through Midland Loan Services, a Division :
of PNC Bank, National Association, as Special Servicer :
under the Pooling and Servicing Agreement dated as of :
August 1, 2018, :

20-CV-2157 (JMF)

ORDER

Plaintiff,

-v-

115 OWNER LLC, et al.,

Defendants.
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JESSE M. FURMAN, United States District Judge:

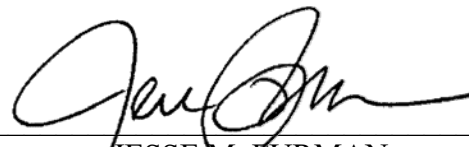
As discussed during the telephone conference earlier today, Defendants' pending motion to dismiss, ECF No. 61, is DENIED without prejudice to renewal to give the parties an opportunity to focus on settlement. All other deadlines are stayed. The parties should promptly contact the chambers of Magistrate Judge Gorenstein.

No later than **October 7, 2021**, the parties shall file a joint letter updating the Court on the status of settlement discussions. If settlement has not been reached, but the parties are engaged in good faith negotiations and believe that additional time should be permitted, the parties may jointly request additional time to discuss settlement. If the parties have not reached a settlement and do not jointly request additional time, Defendants may request reinstatement of their motion to dismiss, in which case the Court will resolve it with all deliberate speed and convene a conference to address the next steps in the litigation beyond a ruling on the motion.

The Clerk of Court is directed to terminate ECF No. 61.

SO ORDERED.

Dated: September 13, 2021
New York, New York



JESSE M. FURMAN
United States District Judge